

Insolvency administrator and his role in insolvency proceedings

Abstract

The thesis deals with the professional requirements for an insolvency administrator and his status and activities in the insolvency proceedings. Considering the frequent amendments of the legislation regulating insolvency proceedings, including the rights and obligations of the insolvency administrator, this is a particularly relevant topic. The aim of the thesis is to provide a comprehensive overview of the conditions which must be met to become an insolvency administrator, what role the insolvency administrator performs in insolvency proceedings and what are his most important rights and obligations.

The thesis is divided into six chapters. The first chapter deals with legal regulations governing the status and activities of the insolvency administrator and includes, in particular, two fundamental acts and their implementing decrees.

The second chapter addresses the person of the insolvency administrator from a professional perspective, that is to say, what are the preconditions for obtaining permission to practise as an insolvency administrator and under what conditions the authorisation to practise ceases. Furthermore, the chapter covers the area of the list of insolvency administrators and the way in which insolvency administrators are supervised. Last but not least, the developments in the legislation of insolvency administrators' establishments and the related issues are discussed in more detail in this chapter.

The third chapter discusses the manner in which the insolvency administrator is appointed to a function in insolvency proceedings and the procedures by which the insolvency administrator may be relieved of office. The liability of the insolvency administrator is also discussed in this chapter.

The fourth chapter focuses on the most significant activities of the insolvency administrator carried out in insolvency proceedings, regardless of how the debtor's bankruptcy is dealt with. These activities include review procedures of creditors' claims lodged, including denial of claims, finding and inventory of the insolvency assets and involvement in incidental disputes.

The fifth chapter addresses the rights and obligations of the insolvency administrator in relation to the debtor's insolvency that is dealt with using the institution of bankruptcy, reorganization or debt relief.

The sixth and final chapter deals with the methods of determining the remuneration and reimbursement of cash expenses of the insolvency administrator.

Key words: Insolvency administrator, insolvency proceedings, bankruptcy